

HOUSE No. 2411

By Mr. Linsky of Natick, petition of David Paul Linsky and others relative to the classification of real property for purposes of taxation. Revenue.

The Commonwealth of Massachusetts

PETITION OF:

David Paul Linsky	Cory Atkins
Bruce E. Tarr	Mary E. Grant
Alice K. Wolf	Matthew C. Patrick

In the Year Two Thousand and Five.

AN ACT TO INSURE FAIR TAXATION OF AFFORDABLE HOUSING.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 38 of Chapter 59 of the General Laws is hereby
2 amended by deleting the section in its entirety and replaced with
3 the following:

4 Section 38. The assessors of each city and town shall at the
5 time appointed therefor make a fair cash valuation of all the
6 estate, real and personal, subject to taxation therein, and such
7 determination shall be the assessed valuation of such estate. In
8 determining the fair cash valuation, the assessors shall consider
9 any restrictions to the use of the property which have been
10 recorded with the deed to the property. In cities, the assessors
11 may, in any year, divide the city into convenient assessment dis-
12 tricts.

13 The assessed valuation of real property subject to taxation
14 under this chapter shall be classified as follows:

15 Class one, residential;
16 Class two, open;
17 Class three, commercial; and
18 Class four, industrial.

19 The resulting amount shall be the taxable valuation of each
20 class of property to which the assessors shall apply the tax rates
21 applicable to each class as determined under section twenty-three
22 A of chapter fifty-nine of the city or town, to determine the tax
23 due and payable on such property.